



General Assembly

February Session, 2002

Raised Bill No. 556

LCO No. 2252

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT CONCERNING CERTAIN LAND RECORDS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 47-10 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2002*):

3 (a) No conveyance shall be effectual to hold any land against any
4 other person but the grantor and his heirs, unless recorded on the
5 records of the town in which the land lies. When a conveyance is
6 executed by a power of attorney, the power of attorney shall be
7 recorded with the deed, unless it has already been recorded in the
8 records of the town in which the land lies and reference to the power
9 of attorney is made in the deed.

10 (b) A conveyance that is otherwise effective and properly recorded
11 in accordance with subsection (a) of this section shall not be invalid or
12 unenforceable because the original documentation evidencing such
13 conveyance is converted into digital or electronic form or is lost or
14 destroyed at any time after such recordation.

15 Sec. 2. Section 7-25 of the general statutes, as amended by public act

16 01-74, is repealed and the following is substituted in lieu thereof
 17 (*Effective October 1, 2002*):

18 Each town clerk shall, within five days after receipt of an instrument
 19 for record, enter the names of all the grantors in a grantor index and all
 20 the grantees in a grantee index, in alphabetical order, and cross-
 21 indexed as to the party first identified as grantor or grantee on the
 22 instrument, the nature of the instrument, the date of its receipt as
 23 endorsed upon the recorded instrument and thereafter, when available
 24 for entry, the book and page of such instrument or other suitable
 25 indication of its location approved by the Public Records
 26 Administrator. If such instrument is an assignment of mortgage,
 27 collateral assignment of mortgage, subordination of mortgage or other
 28 transfer of an interest in a mortgage, the mortgagor shall be deemed an
 29 additional grantor for purposes of this section. If such instrument is a
 30 grant or assignment of a mortgage to a party designated in the
 31 mortgage or assignment as the nominee for another, such nominee
 32 shall be deemed to be the grantee of such mortgage or assignment for
 33 purposes of this section. If such instrument affects real property, the
 34 index shall include a reference to the location of such property, if
 35 contained in such instrument. Such general index shall be a permanent
 36 public record.

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| This act shall take effect as follows: | |
| Section 1 | <i>October 1, 2002</i> |
| Sec. 2 | <i>October 1, 2002</i> |

Statement of Purpose:

To provide that a recorded conveyance is not invalid if the original documentation for the conveyance is converted into digital or electronic form or is lost or destroyed and to provide that a nominee granted or assigned a mortgage is deemed to be the grantee for purposes of recording in the grantee index.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]